

## UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America )

v. )

Case No. )

18-1424-M )

ROCMON L. SANDERS )

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of see attached affidavit in the county of Philadelphia in the  
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. 2251(a) and (e)

Attempted Manufacture of Child Pornography

See Attachment A.

This criminal complaint is based on these facts:

See attached Affidavit

☐ Continued on the attached sheet.

Complainant's signature

James J. Zajac, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date:

9/10/18

Judge's signature

City and state:

PHILADELPHIA, PA

MARILYN HEFFLEY U.S.M.J.

Printed name and title

**AFFIDAVIT IN SUPPORT OF ARREST WARRANT**

I, James J. Zajac, a Special Agent (SA) with the Federal Bureau of Investigation (FBI), Philadelphia Division, being duly sworn, depose and state as follows:

1. I have been employed as a Special Agent of the FBI for 12 years, and am currently assigned to the Philadelphia Division's Violent Crimes Against Children Squad. While employed by the FBI, I have investigated federal criminal violations related to identity theft, Internet fraud, computer intrusions, and the FBI's Innocent Images National Initiative, which investigates matters involving the online sexual exploitation of children. I have gained experience through training at the FBI Academy, training at the Innocent Images Unit of the FBI, various conferences involving Innocent Images and Crimes Against Children, and everyday work related to conducting these types of investigations.

2. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

3. The statements in this Affidavit are based in part on my investigation of this matter and on information provided by other law enforcement officers. Because this affidavit is being submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to believe that ROCMON L. SANDERS, date of birth March 5, 1974, committed violations of Title 18 U.S.C. § 2251 which makes it a crime to employ, use, persuade, induce, entice, or coerce any minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, or attempts to do so.

### **LEGAL AUTHORITY**

4. Title 18 U.S.C. § 2251(a) and (e) prohibits a person from employing, using, persuading, inducing, enticing, or coercing any minor, that is, a person under the age of 18 years, to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, using materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce by any means, including by computer, or attempting to do so.

### **BACKGROUND OF THE INVESTIGATION**

5. On September 7, 2018 the mother of an identified 15-year old girl, hereafter referred to as the VICTIM, reported to the Philadelphia Police Department's Special Victims Unit (PPDSVU) that she found videos on her boyfriend's, ROCMON L. SANDERS, date of birth [REDACTED], smart-phone that were of the VICTIM nude in the bathroom and bathing at the sink of their home located in Philadelphia, Pennsylvania. She described the videos as being recorded through a hole in the bathroom wall. The mother stated the closet in the VICTIM's bedroom shares the wall with the bathroom. She looked in the closet and under a piece of cardboard there was a hole in the wall from which you could see into the bathroom. She could tell it was the VICTIM in the videos because she could hear her singing in the videos. She then texted portions of the videos to herself, spoke with the VICTIM and showed her the videos. The VICTIM confirmed for her mom that it was her in the videos.

6. The VICTIM also reported to PPDSVU, and verified that her mother showed her the videos and she confirmed it was her in the videos. The VICTIM stated SANDERS told her in the past that he watched her in the bathroom through the hole in the wall to make sure she was bathing correctly. She stated one time she was going into her room and



saw him exiting her room. She asked him what he was doing and he told her about watching her bathe and that he also watches his 12-year old son bathe to make sure they were doing it right. She further stated SANDERS came into the bathroom one time while she bathing. She tried to put her robe on but he pulled it down and started to wash her chest and back. The VICTIM stated she was crying while he did this because she does not like people touching her.

7. Your Affiant viewed the portions of the videos the VICTIM's mother texted to herself. The file names of the videos contain the date July 23, 2018. In each video you can see a nude black female standing in front of a bathroom sink, and at times her buttocks and chest are visible. She also lifts her leg at various points and appears to be washing herself with a washcloth between her legs and around her genitals. From the view on the videos, it is apparent they were recorded through a small hole in the wall. The focus of the videos is from the chest and waist down. In one video the person filming pulled the camera away from the hole and left the room, and his blue and white boxer shorts were caught on the video. The mother of the VICTIM stated SANDERS has boxer shorts that look like those captured on the video.

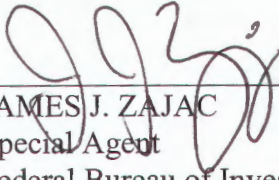
8. On September 7, 2018 your Affiant interviewed SANDERS. Prior to questioning, SANDERS was advised of his Miranda warnings, which he waived, and the interview was video and audio recorded. In his statement SANDERS confessed to using his LG smart phone to record the VICTIM while she was nude and in the bathroom bathing herself. He stated that over time the VICTIM seduced him by telling him when she was going to take a bath and that she was aware he was watching her in the bathroom through the hole in the wall. He stated she would also watch him through the hole in the wall, but they never actually talked about watching each other. SANDERS admitted the VICTIM has the body type he is attracted to and he was curious about seeing what she looked like naked. He stated he recorded her because

the hole in the wall is down low and it was hard for him to bend down to watch her. After recording her he did watch the video. SANDERS stated he only recorded one video of her and it was sometime over this past summer. He stated the video is no longer on his smart phone because the VICTIM's mother actually found it on his smart phone over a month ago, confronted him about it, and she deleted the video off his smart phone. SANDERS stated the mother of the VICTIM is lying about just finding the video on his smart phone.

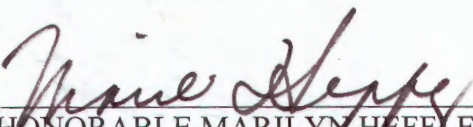
**CONCLUSION**

9. Based upon the information above I respectfully submit that there is probable cause to believe that ROCMON L. SANDERS did attempt to employ, use, persuade, induce, entice, or coerce a minor to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, in violation of 18 U.S.C. § 2251, as more fully set forth in Attachment A.

10. Therefore, I respectfully request that the attached arrest warrant be issued authorizing the arrest of ROCMON L. SANDERS, date of birth [REDACTED] 1-5-1974.

  
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JAMES J. ZAJAC  
Special Agent  
Federal Bureau of Investigation

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 10<sup>th</sup> DAY  
OF SEPTEMBER, 2018.

  
\_\_\_\_\_  
HONORABLE MARILYN HEFFLEY  
United States Magistrate Judge

**ATTACHMENT A**

**Count One – Attempted Manufacture of Child Pornography – 18 U.S.C. § 2251**

On or about July 23, 2018, in the Eastern District of Pennsylvania, defendant ROCMON L. SANDERS did knowingly attempt to employ, use, persuade, induce, entice, or coerce MINOR #1, a person under the age of 18 years, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, and in his attempt to produce the visual depiction he used materials that have been mailed, shipped, or transported in or affecting interstate or foreign commerce.